

2013 DRAFTING REQUEST

Bill

Received:	9/4/2013	Received By:	tdodge
Wanted:	As time permits	Same as LRB:	
For:	Jeremy Thiesfeldt (608) 266-3156	By/Representing:	Hariah Hutkowski
May Contact:		Drafter:	tdodge
Subject:	Health - miscellaneous	Addl. Drafters:	
		Extra Copies:	

Submit via email: **YES**
 Requester's email: **Rep.Thiesfeldt@legis.wisconsin.gov**
 Carbon copy (CC) to: **tamara.dodge@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given

Topic:

Prohibiting denial of health care provider network status based on flu vaccination status

Instructions:

The story is that chiropractors who are not at a hospital are being required to have flu vaccines in order to be in network with a hospital. Draft bill so they cannot deny network status based on flu vaccination status.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	tdodge 11/11/2013			_____			
/1		jdyer 11/12/2013	jfrantze 11/12/2013	_____	sbasford 11/12/2013	srose 11/12/2013	

FE Sent For:

↳ Not Needed <END>

2013 DRAFTING REQUEST

Bill

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Wanted: As time permits	Same as LRB:
For: Jeremy Thiesfeldt (608) 266-3156	By/Representing: Hariah Hutkowski
May Contact:	Drafter: tdodge
Subject: Health - miscellaneous	Addl. Drafters:
	Extra Copies:

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/?	tdodge	11/12 jld	[Signature]	11/12			

FE Sent For:

<END>

Dodge, Tamara

From: Hutkowski, Hariah
Sent: Thursday, September 26, 2013 8:44 AM
To: Dodge, Tamara
Cc: Thiesfeldt, Jeremy
Subject: RE: In-network flu vaccine draft

Yes, that is correct. We appreciate it!

Hariah Hutkowski
Research Assistant
Rep. Thiesfeldt's office
1-888-529-0052
FAX: 608-282-3652

From: Dodge, Tamara
Sent: Thursday, September 26, 2013 8:13 AM
To: Hutkowski, Hariah
Subject: In-network flu vaccine draft

Hariah,

In response to your voice mail, I will be handling the draft relating to the flu vaccine and "in-network" status. I did have those instructions, but I am wondering what this requires. I assume that you are referring to affiliated providers that are not located in a hospital itself. My thought is that "in-network" is often an insurance designation. I'm thinking that I will need two provisions. One provision would need to prohibit insurers from denying providers from participating in an insurance network based solely on flu vaccination status. The other provision would prohibit hospitals or health care systems from refusing to affiliate with or refer to provider based on the flu vaccination policies of the provider. Is this what you are thinking of for this draft?

Tami

Tamara J. Dodge
Attorney
Wisconsin Legislative Reference Bureau
P.O. Box 2037
Madison, WI 53701-2037
(608) 267 - 7380
tamara.dodge@legis.wisconsin.gov



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-30612

TJD: x...

RMR Jld

In: 11/11

Due Tues
11/12

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

2013 BILL

✓

Gen

1

AN ACT ...; relating to: network status or affiliation based on influenza

2

vaccination status.

Analysis by the Legislative Reference Bureau

a provider

This bill prohibits certain actions based on the influenza vaccination status of a health care provider. ✓ The bill prohibits a health care provider or health care system from refusing to affiliate with another health care provider or from denying to a health care provider the ability to join a provider network or health care system based on the influenza vaccination status of an individual health care provider or based on the percentage of employees of a health care provider who are vaccinated against influenza. ✓ Under the bill, a defined network plan, preferred provider plan, or limited services health organization may not exclude from being a participating provider with that plan or organization and an insurer, in offering a network plan, may not refuse to contract to be part of the provider network with a provider based on the influenza vaccination status of an individual provider or based on the percentage of employees of a provider who are vaccinated against influenza. ✓

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3

SECTION 1. 146.77^x of the statutes is created to read:

4

146.77 Affiliation and influenza vaccination. ✓ (1) In this section, "health

5

care provider" has the meaning given in s. 146.81 (1) (a) to (q). ✓

1 (2) No health care provider[✓] or health care system may refuse to affiliate with
2 another health care provider or deny to another health care provider the ability to
3 join a provider network or health care system based on the influenza vaccination
4 status of an individual health care provider or based on the percentage of employees
5 of a health care provider who are vaccinated against influenza.[✓]

6 [✗]
7 **SECTION 2.** 609.21 of the statutes is created to read:

8 **609.21 Participation and influenza vaccination.** A defined network plan,
9 preferred provider plan,[✓] or limited services health organization[✓] may not exclude a
10 provider[✓] from being a participating provider with that plan or organization based on
11 the influenza vaccination status of an individual provider or based on the percentage
12 of employees of a provider who are vaccinated against influenza.[✓]

13 [✗]
14 **SECTION 3.** 632.7465 of the statutes is created to read:

15 **632.7465 Network participation and influenza vaccination.**[✓] An insurer
16 in offering a network plan may not refuse to contract with a provider, as defined in
17 s. 609.01 (5m),[✓] to be part of the provider network based on the influenza vaccination
18 status of an individual provider[✓] or based on the percentage of employees of a provider[✓]
19 who are vaccinated against influenza.[✓]

(END)

Rose, Stefanie

From: Hutkowski, Hariah
Sent: Tuesday, November 12, 2013 9:26 AM
To: LRB.Legal
Subject: Draft Review: LRB -3061/1 Topic: Prohibiting denial of health care provider network status based on flu vaccination status

Please Jacket LRB -3061/1 for the ASSEMBLY.